



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

08/990,981 12/15/97 MURAKOSHI

S P7156-7043

LM02/0726
NAKAIDO MARMELSTEIN MURRAY & ORAM
METROPOLITAN SQUARE
SUITE 330 G STREET LOBBY
655 FIFTEENTH STREET NW
WASHINGTON DC 20005-5701

EXAMINER

HINDI, N

ART UNIT

PAPER NUMBER

2753
DATE MAILED:

07/26/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

BEST AVAILABLE COPY

Office Action Summary

Application No.
08/990,981

Applicant(s)

MURAKOSHI ET AL

Examiner

NABIL HINDI

Group Art Unit

2753



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-8 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-8 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2753

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art.

The claims are not drawn to “related information of the reproducing medium is **automatically** indicated” but rather drawn to “means for obtaining” in which the examiner interprets as the user manually obtaining such information. The admitted prior art discloses the use of a computer system for reading data from the disk, reading identifying data from the disk (title, composer, song name, etc), obtain related information from a server, and displaying the data on a display means as cited on pages 1-2.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of either one of Hisamatsu et al; Nishida et al; and/or Sato et al.

The examiner reads on the claimed invention as to automatically reading identifying data from the disk as opposed to the user making the determination. Each of the secondary references discloses the use of automatically identifying the disk type in order to read out related information such as

Art Unit: 2753

TOC data from a medium for the purpose of time efficiency in accessing data. It would have been obvious to one skilled in the art at the time the invention was made to use the teaching of either one of the secondary references and modify the system of the admitted prior art. Such modification of automatically reading identification data from the disk is within the engineering capability of one skilled in the art in order to eliminate the user interaction in identifying the data on the disk. One skilled in the art would have been motivated to use the teaching of either one of the secondary references for the purpose of time efficiency in accessing the data on the disk.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 5430553; 5446714; and 5553289

Any inquiry concerning this communication should be directed to NABIL.HINDI at telephone number (703) 308.1555


NABIL HINDI
PRIMARY EXAMINER
GROUP 2300